

TAB 12

 ORIGINAL

JOHN P. KIERNAN
November 30, 2004

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
C.A. NO. 10131MW

* * * * *

HEATHER KIERNAN, *

Complainant *

vs. *

ARMORED MOTOR SERVICES OF *

AMERICA, INC., *

Respondent *

* * * * *

DEPOSITION OF JOHN P. KIERNAN
MORGAN, BROWN & JOY, LLP
One Boston Place, 16th Floor
Boston, Massachusetts

November 30, 2004 10:07 a.m.

Maryellen Coughlin
Registered Professional Reporter

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1 time Heather left the house to go to work?

2 A. Somewhere between 9 and 10 a.m.

3 Q. And did you understand she was
4 going directly to work?

5 A. Yes.

6 Q. And did you have any plans with
7 your wife for that evening when she got off work?

8 A. No, not to my knowledge, not that I
9 can recall.

10 Q. Do you know whether your wife had
11 made plans with anybody else for after she got
12 off work?

13 A. Not to my knowledge.

14 Q. Did she indicate to you that she
15 had made plans with anybody else and that she
16 would not come home directly after work?

17 A. No.

18 Q. And what time did you expect your
19 wife back home?

20 A. Anywhere between 3 and 6 p.m.

21 Q. And at some point since May 19th,
22 2001, have you learned that your wife was not
23 scheduled to work at AMSA on May 19th until
24 2 p.m.?

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1 A. Yeah. Her father was sitting down
2 on the couch with her, and I was just kind of
3 standing.

4 Q. Your son remained sleeping the
5 whole time?

6 A. Correct.

7 Q. In another room?

8 A. Right.

9 Q. From the time that your wife first
10 came home until the time that she left the
11 apartment with the E.M.T.s, it sounds like it was
12 approximately a half an hour.

13 A. Yes, approximately. I don't think
14 we were logged into the -- it was around midnight
15 they were actually at the hospital.

16 Q. And during that time, from the time
17 that she first came in the door until the time
18 that she left with the E.M.T.s, did she indicate
19 to you that she had come right home from work?

20 A. We didn't even get into any of that
21 stuff.

22 Q. Okay.

23 A. There was too much going on.

24 Q. Now, on May 19th, you never went

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